

Deposited: 11/25/03

I here that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above.

Susan Strickland

Attorney Docket No.: 01052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Justin et al.

Group:

Unassigned

Serial No.:

10/695,038

Examiner:

Unassigned

Filed:

October 28, 2003

Customer No.:

35467

For:

CARRIER FOR HOLDING TEST SAMPLES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

In order to fulfill the requirements of candor and good faith set forth in 37 C.F.R. § 1.56, Applicants submit this Information Disclosure Statement in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98.

U.S. PATENT REFERENCES

Patent No.:	<pre>Inventor(s):</pre>	Issue Date:
4,118,280	Charles et al.	Oct. 3, 1978
3,963,355	Aldridge, Jr. et al.	June 15, 1976
4,116,775	Charles et al.	Sept. 26, 1978
4,038,151	Fadler et al.	July 26, 1977
D382,647	Staples et al.	Aug. 19, 1997
D414,272	O'Bear et al.	Sept. 21, 1999

Patent No.:	Inventor(s):	Issue Date:
5,609,828	O'Bear et al.	Mar. 11, 1997
5,746,980	O'Bear et al.	May 5, 1998
5,766,553	Staples et al.	June 16, 1998
5,843,380	Staples et al.	Dec. 1, 1998
5,869,005	O'Bear et al.	Feb. 9, 1999
5,916,812	Chen et al.	June 29, 1999
5,932,177	O'Bear et al.	Aug. 3, 1999
5,951,952	O'Bear et al.	Sept. 14, 1999
5,925,884	Robinson et al.	July 20, 1999
6,045,758	Staples et al.	Apr. 4, 2000
5,762,873	Fanning et al.	June 9, 1998
6,086,824	Fanning et al.	July 11, 2000
5,736,102	Seaton et al.	Apr. 7, 1998
5,762,874	Seaton et al.	June 9, 1998
5,798,182	LeFebvre et al.	Aug. 25, 1998
5,798,084	Seaton et al.	Aug. 25, 1998
5,853,667	Seaton et al. Dec. 29	
5,897,835	Seaton et al. Apr. 27	
5,798,085	Seaton et al. Aug. 25,	
5,853,666	Seaton et al.	Dec. 29, 1998
5,888,455		
5,891,396	Karl et al.	Apr. 6, 1999
5,869,006	Fanning et al.	Feb. 9, 1999
5,670,375	Seaton et al.	Sept. 23, 1997
6,309,890	Tegeler et al.	Oct. 30, 2001
5,804,437	Tegeler et al.	Sept. 8, 1998
6,136,270	Maes et al.	Oct. 24, 2000
5,965,090	Fanning et al.	Oct. 12, 1999
6,024,921	Freiner et al.	Feb. 15, 2000

Copies of the above-listed references are enclosed herewith.

The above-listed references are also listed in Form PTO-1449 which is also enclosed herewith.

This submission is not an admission that the information disclosed in the references is

material to the patentability of the invention disclosed and/or claimed in the above-identified

application. Accordingly, Applicants respectfully submit that the application is in all respects in

condition for examination on the merits.

The Commissioner is hereby authorized to charge any fees in connection herewith to

Deposit Account No. 50-0364.

Respectfully submitted,

Patent Counsel

bioMérieux, Inc. Patent Department 100 Rodolphe Street

Durham, NC 27712

Tel. No. (919) 620-2914

Enclosures: PTO-1449 w/ 35 references

3

FORM COMMERCE (MODIFIED) U.S. PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

ATTY. DOCKET NO.	SER. NO.			
01052	10/695,038			
Applicant: JUSTIN et al.				
FILING DATE	GROUP			
October 28, 2003	Unassigned			

(37 CFR 1.98(b))

U.S. PATENT DOCUMENTS

			0.0. i A	LINI DOCUMENT.		
Examiner Initial	Cite No. ¹	Patent Number	Issue Date	Patentee	Class/ Subclass	Filing Date
		4,118,280	10/03/1978	Charles et al.		05/03/1976
		3,963,355	06/15/1976			04/16/1974
		4,116,775	09/26/1978	Charles et al.		05/03/1976
		4,038,151	07/26/1977	Fadler et al.		07/26/1977
		D382,647	08/19/1997			01/17/1996
		D414,272	09/21/1999	O'Bear et al.		07/06/1994
		5,609,828	03/11/1997			05/31/1995
		5,746,980	05/05/1998			05/05/1996
		5,766,553	06/16/1998			01/17/1996
		5,843,380	12/01/1998			05/14/1997
		5,869,005	02/09/1999			07/22/1996
		5,916,812	06/29/1999			05/13/1997
		5,932,177	08/03/1999			06/11/1997
		5,951,952	09/14/1999			06/11/1997
		5,925,884	07/20/1999			02/12/1997
		6,045,758	04/04/2000			05/07/1997
		5,762,873	06/09/1998			02/21/1996
		6,086,824	07/11/2000			06/07/1999
		5,736,102	04/07/1998			02/21/1996
		5,762,874	06/09/1998			03/14/1997
		5,798,182	08/25/1998	LeFebvre et al.		07/12/1996
		5,798,084	08/25/1998	Seaton et al.		03/14/1997
		5,853,667	12/29/1998	Seaton et al.		09/22/1997
		5,897,835	04/27/1999	Seaton et al.		03/14/1997
		5,798,085	08/25/1998	Seaton et al.		07/02/1997
		5,853,666	12/29/1998	Seaton et al.		02/12/1997
		5,888,455	03/30/1999	Seaton et al.		07/02/1997
		5,891,396	04/06/1999			01/02/1997
		5,869,006	02/09/1999			02/09/1999
		5,670,375	09/23/1997			09/23/1997
		6,309,890	10/30/2001	Tegeler et al.		10/30/2001
		5,804,437	09/08/1998	Tegeler et al.		08/19/1997
		6,136,270	12/24/2000			04/26/1999
		5,965,090	10/12/1999	Fanning et al.	[01/13/1998
				Freiner et al.		08/25/1998
	l	6,024,921	02/15/2000	rteillet et al.	l	1 00/23/1990

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATIONS

Examiner Initial	Document Number	Publication Date	Country or Patent Offic	Class/ Subclass	Translation Yes/No
					
l ———					
]
l 					

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

Examiner Initial	Cite No. ¹	
EXAMINER		DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.